

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on March 12, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 273, SB 257, SB 258, SB 236, 3/4/1999

Executive Action: SB 65-Indefinitely Postponed

HEARING ON SB 273

Sponsor:

Senator Jabs presented SB 273.

{Tape : 1; Side : A; Approx. Time Counter : 32 - 81}

Proponents:

J.A. Turnage, Chief Justice, Montana Supreme Court

{Tape : 1; Side : A; Approx. Time Counter : 81 - 163}

EXHIBIT (juh56a0

1)

EXHIBIT (juh56a0

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Russell Fagg, District Court Judge

{Tape : 1; Side : A; Approx. Time Counter : 163 - 244}

Kitty Curtis, District Court Judge

{Tape : 1; Side : A; Approx. Time Counter : 244 - 369}

Kim Christopher, Sanders County Attorney

{Tape : 1; Side : A; Approx. Time Counter : 369 - 550}

EXHIBIT (juh56a0

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EXHIBIT (juh56a0

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Dennis Paxinos, Yellowstone County Attorney

{Tape : 1; Side : B; Approx. Time Counter : 0 - 36}

Bill Eggers, House of Representatives #6

{Tape : 1; Side : B; Approx. Time Counter : 36 - 47}

Charles Brooks, Yellowstone County Commissioners

{Tape : 1; Side : B; Approx. Time Counter : 47 - 76}

Charles Schweitzer, Kalispell Chamber of Commerce

{Tape : 1; Side : B; Approx. Time Counter : 76 - 86}

Bill Bear, Lake County Sheriff

{Tape : 1; Side : B; Approx. Time Counter : 86 - 111}

Patrick Chenovick, Montana Judges Association

{Tape : 1; Side : B; Approx. Time Counter : 111 - 118}

Sherry Betters, Supreme Court Assessment Program

{Tape : 1; Side : B; Approx. Time Counter : 118 - 131}

John Connor, Attorneys General Office

{Tape : 1; Side : B; Approx. Time Counter : 131 - 144}

Al Smith, Montana Trial Lawyers Association

{Tape : 1; Side : B; Approx. Time Counter : 144 - 173}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 173 - 550}

Closing by Sponsor:

Senator Jabs made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 0 - 24}

HEARING ON SB 257 AND SB 258

Sponsor:

Senator Grimes presented SB 257 and SB 258.

{Tape : 2; Side : A; Approx. Time Counter : 24 - 117}

Proponents:

Judy Wang, Missoula City Attorney

{Tape : 2; Side : A; Approx. Time Counter : 117 - 271}

EXHIBIT (juh56a0

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EXHIBIT (juh56a1

0)

Mike McGrath, Lewis & Clark Co. Attorney

{Tape : 2; Side : A; Approx. Time Counter : 271 - 343}

Dennis Paxinos, Yellowstone Co. Attorney

{Tape : 2; Side : A; Approx. Time Counter : 343 - 381}

Kristine LaCroix, Missoula County Attorney

{Tape : 2; Side : A; Approx. Time Counter : 381 - 550}

Richard Ochner, Missoula City Police

{Tape : 2; Side : B; Approx. Time Counter : 0 - 59}

Tootie Welker, Sanders County Coalition for Families

{Tape : 2; Side : B; Approx. Time Counter : 59 - 106}

EXHIBIT (juh56a1

1)

John Connor, Attorneys General Office

{Tape : 2; Side : B; Approx. Time Counter : 106 - 138}

George Corn, Ravalli County Attorney

{Tape : 2; Side : B; Approx. Time Counter : 138 - 185}

Deb Vorhees, Montana Coalition Against Domestic Violence

{Tape : 2; Side : B; Approx. Time Counter : 185 - 199}

Rebecca Moog, Montana Women's Lobby

{Tape : 2; Side : B; Approx. Time Counter : 199 - 212}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 212 - 453}

Closing by Sponsor:

Senator Grimes made closing statements.

{Tape : 2; Side : B; Approx. Time Counter : 453 - 550}

{Tape : 3; Side : A; Approx. Time Counter : 0 - 120}

HEARING ON SB 236

Sponsor:

Senator Doherty presented SB 236.

{Tape : 3; Side : A; Approx. Time Counter : 120 - 140}

Proponents:

John Connor, Attorneys General Office

{Tape : 3; Side : A; Approx. Time Counter : 140 - 244}

George Corn, Ravalli County Attorney

{Tape : 3; Side : A; Approx. Time Counter : 244 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 20}

Opponents:

None

Informational Testimony:

Scott Creighton, ACLU

{Tape : 3; Side : B; Approx. Time Counter : 20 - 57}

Questions from Committee Members and Responses:

{Tape : 3; Side : B; Approx. Time Counter : 57 - 214}

Closing by Sponsor:

Senator Doherty made closing statements.

{Tape : 3; Side : B; Approx. Time Counter : 214 - 278}

EXECUTIVE ACTION ON SB 65

Motion: REP. GALLUS moved that SB 65 BE CONCURRED IN.

Motion/Vote: REP. ANDERSON moved that SB 65 BE TABLED. Motion failed 10-10 with Eggers, Facey, Gallus, Gutsche, Hurdle, Kitzenberg, Noennig, Soft, Williams, and Wyatt voting no.

Motion/Vote: REP. ANDERSON moved SB 65-INDEFINITELY POSTPONE. Motion carried 11-9 with Eggers, Facey, Gallus, Gutsche, Hurdle, Noennig, Soft, Williams, and Wyatt voting no.

Meeting adjourned.

ADJOURNMENT

Adjournment: 11:53 A.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh56aad)